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MINUTES OF COUNCIL STUDY MEETING – MAY 6, 2008

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MAY 6, 2008, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman (Arrived as noted)
Corey Rushton
Mike Winder

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT:

Steve Vincent

STAFF PRESENT:

Paul Isaac, Assistant City Manager
John Evans, Fire Chief
Buzz Nielsen, Police Chief
Jim Welch, Finance Director
Richard Catten, City Attorney
Joseph Moore, CED Director
Layne Morris, Community Preservation Director
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
Nicole Cottle, Law Department
Steve Lehman, CED Department
Steve Pastorik, CED Department
Kelly Davis, Community Preservation Department
Aaron Crim, Administration
Craig Thomas, Administration
Jake Arslanian, Public Works Department

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1. **APPROVAL OF MINUTES OF STUDY MEETING HELD APRIL 15, 2008**

The Council read and considered the Minutes of the Study Meeting held April 15, 2008. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held April 15, 2008, as written. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

2. **REVIEW AGENDA ITEMS FOR REGULAR MEETING SCHEDULED MAY 6, 2008**

City Manager, Wayne Pyle, stated two new items had been added to the Agenda for the Regular Council Meeting scheduled for May 6, 2008, and he discussed those items, and others, as follows:

Item No. 6. A. – PROCLAMATION DECLARING MAY 6, 2008, AS EVAN K EXCELL DAY IN WEST VALLEY CITY

City Manager, Wayne Pyle, stated Kevin Bruder, Manager of the E-Center, had requested the City recognize Mr. Evan K Excell for his contributions to the West Valley City community. Mr. Pyle also stated Mayor Nordfelt would read a Proclamation at the Regular Council Meeting scheduled May 6, 2008, at 6:30 P.M.

Item No. 9. A. – RESOLUTION NO. 08-127, ADOPT A TENTATIVE BUDGET FOR FISCAL YEAR COMMENCING JULY 1, 2008, AND ENDING JUNE 30, 2009; SETTING A TAX RATE; AND SETTING A PUBLIC HEARING DATE

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-127 which would adopt a Tentative Budget for fiscal year commencing July 1, 2008, and ending June 30, 2009; set a tax rate; and set a public hearing date.

City Manager, Wayne Pyle, discussed the opportunity to set the public hearing date on August 12, 2008, if the Council desired to consider a proposed tax increase and/or judgment levy; if not, the public hearing date could be scheduled for June 3, 2008.

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Mayor Nordfelt advised the Council would request the City Manager give a brief overview of a proposed tax increase at the Regular Council Meeting scheduled May 6, 2008, at 6:30 P.M.

Councilmember Coleman arrived at the meeting at 4:34 P.M.

Item No. 9. B. – RESOLUTION NO. 08-128, APPROVE AGREEMENT WITH DODGE BILLINGSLEY FOR THE DISPLAY OF ARTWORK AT THE UTAH CULTURAL CELEBRATION CENTER

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-128 which would approve an Agreement with Dodge Billingsley for the display of artwork at the Utah Cultural Celebration Center (UCCC).

Mr. Pyle stated the Utah Cultural Celebration Center gallery was hosting an exhibit of original art works from China, entitled “From the Masses to the Masses: Art of the Yan’an Cave Artists Group.” The exhibit would run from May 9 through June 18, 2008. The collection was owned by local documentary filmmaker Dodge Billingsley who presents the exhibit in collaboration with the BYU Kennedy Center for International Studies. Rich in the folk traditions of rural peasant artists, this historical exhibit highlights the impact of politics on artists and their art during Mao’s China. He indicated the agreement between the City and the exhibit owner was being submitted for Council review and approval.

The City Manager reported the exhibit consisted of original art works acquired in numerous trips to China between 1999-2005. He indicated the collection was valued at approximately \$500,000. A free public opening and related film screening was being held Friday, May 9th from 6:00 P.M. – 8:00 P.M. He stated a sneak preview opening would be held on Thursday, May 8th, in partnership with the Utah Arts Council as part of their annual statewide conference being held at the UCCC facility. An audience of about 500 people was expected that evening. The UCCC would also host guided educational tours for student groups as well as offering an ARTrageous Tuesday program connected with the exhibit.

Mr. Pyle indicated the UCCC first became associated with Dodge Billingsley, the collection owner, in connection with the Chinese “Silk Road” exhibit at the UCCC in 2006. At that time, he expressed a desire to exhibit this historically significant collection here. There is no fee paid to the collection owner. Insurance coverage would be provided for the collection while housed in the UCCC facility under the limits of West Valley City’s URMMA policy. He also reported no additional coverage was anticipated.

City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

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The City Council will consider proposed Resolution No. 08-128 at the Regular Council Meeting scheduled May 6, 2008, at 6:30 P.M.

Item No. 10. A. – HEAR AND CONSIDER DATATIX-SLC APPEAL OF DENIAL OF RECORD REQUEST

City Manager, Wayne Pyle, discussed the issue to hear and consider an appeal of the denial of a record request by DataTix-SLC. Mr. Pyle reviewed procedures for the hearing and answered questions from members of the City Council.

REVIEW ITEMS ON REDEVELOPMENT AGENCY, HOUSING AUTHORITY, AND BUILDING AUTHORITY AGENDAS FOR THE REGULAR MEETINGS SCHEDULED MAY 6, 2008

City Manager, Wayne Pyle, reviewed items on the Agendas of the Redevelopment Agency, Housing Authority and Building Authority for the Regular Meetings scheduled May 6, 2008, at 6:30 P.M., or as soon as business permits.

Upon inquiry by City Manager, Wayne Pyle, there were no further questions from members of the City Council regarding items scheduled on the Regular Meetings Agendas for May 6, 2008.

3. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED MAY 13, 2008:

A. SCOTT ZEIDLER, COMMUNITY FORESTER WITH THE UTAH DIVISION OF FORESTRY, FIRE AND STATE LANDS – PRESENTATION OF TREE CITY USA AWARD TO WEST VALLEY CITY

City Manager, Wayne Pyle, stated Scott Zeidler, Community Forester with the Utah Division of Forestry, Fire and State Lands, would present a Tree City USA award to West Valley City at the Regular Council Meeting scheduled May 13, 2008, at 6:30 P.M.

4. RESOLUTION NO. 08-129, APPROVE INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY, WEST VALLEY CITY, SANDY CITY, West Jordan CITY AND TAYLORSVILLE CITY RELATING TO THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2009 THROUGH 2011

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-129 which would approve an Interlocal Cooperation Agreement between Salt Lake County, West Valley City, Sandy City, West Jordan City and Taylorsville City relating to the HOME Investment Partnership Program for federal fiscal years 2009 through 2011.

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Mr. Pyle stated West Valley City received each year approximately \$300,000 to accomplish home repairs, down payment assistance and other residential projects that bettered the residences of the City. He further stated that each year, West Valley City Grants Division funded four in-house programs, vouchers for a Tenant Based Rental Assistance Program (TBRA), and a deposit program for homeless families and individuals through the Road Home.

Community Preservation Director, Layne Morris, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-129 at the Regular Council Meeting scheduled May 13, 2008, at 6:30 P.M.

5. **RESOLUTION NO. 08-130, APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ERICKSON LANDSCAPING FOR THE PURPOSE OF REPAIRING BUNKERS AT STONEBRIDGE GOLF COURSE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-130 which would approve a Professional Services Agreement with Erickson Landscaping in the amount of \$76,000.00, for the purpose of repairing bunkers at Stonebridge Golf Course.

Mr. Pyle stated Stonebridge Golf Course would fill in 20 bunkers to streamline the operations and become more cost effective. He indicated competitive bids had been solicited through public advertising with a formal bid opening having been conducted under the direction of the City Recorder.

The City Manager reported Stonebridge had 89 bunkers scattered throughout the 27 holes, many of which were difficult to maintain. He stated to streamline operations and operate in a more cost effective manner, staff recommended focus be placed on the tees, greens and fairways. He recommended several bunkers could be removed from the course without a significant impact on play, which would free up valuable maintenance time for the stated target areas. He indicated 20 bunkers had been identified as removable and a bunker fill-in plan had been prepared, which plan had been reviewed with Zions Securities.

City Manager, Wayne Pyle, stated two bids had been received, as follows: 1) Erickson Landscaping: \$106,758.75; and 2) Turf Sprinkler Co.: \$208,143.00. Mr. Pyle indicated Erickson Landscaping had submitted the lowest responsible bid.

Mr. Pyle reported both prices had been more than the projected budget. He also reported staff had taken the low bid by Erickson Landscaping and made quantity changes. He indicated top soil had been reduced from 1,702 cubic yards to 701 cubic yards by reducing 12 inches to six inches of top soil in each bunker. He stated the line item for

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seeding four waste bunkers of \$6,066 had also been removed and would be completed by staff, bringing the total to \$76,000.00.

Parks and Recreation Director, Kevin Astill, further discussed the proposed Resolution. Matt Isbell, Superintendent of Stonebridge Golf Course, answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-130 at the Regular Council Meeting scheduled May 13, 2008, at 6:30 P.M.

7. **RESOLUTION NO. 08-131, APPROVE AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH TIM SOFFE FOR PROPERTY LOCATED AT APPROXIMATELY 3000 SOUTH DECKER LAKE DRIVE (APPLICATION NO. PUD-1-2007 – THE EDGE AT DECKER LAKE)**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-131 which would approve an Amendment to the Development Agreement with Tim Soffe for property located at approximately 3000 South Decker Lake Drive (Application No. PUD-1-2007 – The Edge at Decker Lake).

Mr. Pyle stated that in July of 2006, the City Council had approved a General Plan change from Manufacturing to High Density Residential on the subject property. He further stated the approval had been made subject to a development agreement requiring all dwelling units to be for sale product and not rentals. He indicated that over the last year and a half, the developer had coordinated the subdivision plat with staff and various agencies. In conjunction with approvals from the Planning Commission and Council, the review of the subdivision plat and site plan was near completion.

The City Manager reported that a few weeks ago the developer approached staff about the possibility of modifying the conditional use and development agreement. The developer had explained market conditions remained unfavorable for condominium developments. He stated Mr. Soffe explained that financing for the condominium project had been withdrawn by the property owner's financial institution.

Mr. Pyle stated the developer further explained because the rental market was strong the bank would be willing to fund an apartment project if approved by the City. He indicated what complicated the bank's suggestion was the property had been re-zoned with a provision requiring home ownership. In order to make this kind of change, the developer would be required to modify the conditional use application with the Planning Commission and the development agreement with the City Council.

The City Manager indicated because condominiums and apartments were listed as separate uses in the 'RM' zone the Planning Commission would be charged with

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reviewing the amended conditional use application. However, the development agreement could only be modified by the City Council.

Mr. Pyle explained when the subject property had been re-zoned the Planning Commission and City Council cited a number of reasons to change the land use classification from manufacturing to residential. He reviewed items mentioned as follows:

1. The property was near a planned light rail station.
2. The property was adjacent to a major employment center.
3. Development of this property would have good access to the entertainment area immediately to the south.
4. The text of the General Plan encouraged mixed-use centers near light rail stops.

The City Manager continued that from the onset of the project, the developer proposed a condominium development. The Planning Commission and City Council had felt this type of residential housing would provide stability and longevity for residents living in this area of the City. He indicated the addition of a future light rail station and benefits of the adjacent and uses near the E-Center, supported the concept of owner-occupied living.

Steve Lehman, CED Department, further reviewed the proposed Resolution displayed the site plan and explained the review process. He also discussed terms of the original development agreement and reasons for the developer's request for amendments to the development agreement.

At the request of the City Council, Mr. Tim Soffe, applicant/developer, discussed background of the project including issues and problems, financing, and progress made to date. Troy Sanders, representing Miller Development, utilized PowerPoint and discussed information summarized as follows:

- Issues resolved: wetlands, access, easements, utilities, open spaces, Trax, off-site improvements
- Real estate and credit crisis effect and sales in Utah regarding condominiums
- Current market conditions
- Financing still available for an upscale market-rate apartment community
- Comparison of condominiums and apartments
- Professional management by Miller Development on-site, 24-hour video surveillance, security patrol, professional property maintenance,
- Tenant selection criteria, income verification, credit check, rental history, criminal background check, no pets allowed, maximum occupant limit
- No visible difference between condominium proposal and apartments

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During the above presentation, members of the City Council directed questions to Mr. Soffe and Mr. Sanders, and the City Manager and staff.

Upon further discussion, Councilmember Winder requested crime statistics for owner-occupied versus rental properties.

Tim Soffe discussed a similar project in Salt Lake City near Franklin Covey field and stated on-site management and security had virtually eliminated some crimes in the development. He stated the management and commitment of developer and owner made a difference with these types of developments. Mr. Soffe discussed terms listed in Exhibit B, paragraph 3, requested clarification and suggested the language be changed to owner/developer rather than maintenance company.

Steve Lehman, CED Department, discussed intent of the language as discussed above.

Mayor Nordfelt requested the City Manager draft a new version of Exhibit B for consideration by the Council at the next meeting.

Upon discussion, Council members made comments and inquiries, summarized as follows: if a precedent would be set for future projects; there have been many issues to deal with regarding this project; need something on that property, particularly in view of light rail project nearby; this was a solution to make this a workable project; current market conditions made it difficult to finance condominiums; etc.

Mayor Nordfelt commented that he assumed if the Council denied the request Mr. Soffe would go back through the conditional use process and request the same project as proposed.

The City Council will consider proposed Resolution No. 08-131 at the Regular Council Meeting scheduled May 13, 2008, at 6:30 P.M.

8. COMMUNICATIONS:

A. ANIMAL SHELTER UPDATE

City Manager, Wayne Pyle, requested Jake Arslanian, Public Works Department (project manager) provide an update regarding the Animal Shelter project. Mr. Pyle stated the shelter would also house the Community Preservation Department offices and staff.

Using PowerPoint, Mr. Arslanian discussed information summarized as follows:

- Showed map of City Park property and discussed challenges regarding the shelter site

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- Site plan and schematic design
- Building elevation
- Floor plan
- Material samples

During the above presentation of information, Mr. Arslanian answered questions from members of the City Council.

Upon inquiry, City Manager, Wayne Pyle, discussed a meeting with Mayor Wall and the City Administrator of Taylorsville City. Mr. Pyle reported Kelly Davis, Community Preservation Department, would give a regular quarterly report to the Taylorsville City Council the next day and would share this information with them at that time.

The City Manager thanked Mr. Arslanian for his presentation, stated Taylorsville City was pleased with their partnership with West Valley City, and he expressed appreciation to Kelly Davis and his staff for their efforts in this regard.

B. ZONE TEXT CHANGE DISCUSSION – ADDING DEFINITION OF SENIOR HOUSING TO LIST OF CONDITIONAL USES (APPLICATION NO. ZT-2-2008)

City Manager, Wayne Pyle, stated Steve Pastorik, CED Department, would lead a discussion regarding a zone text change regarding adding definition of senior housing to a list of conditional uses regarding Application No. ZT-2-2008.

Steve Pastorik, CED Department, discussed background information of the proposed text amendment and, upon direction of the City Council; staff's recommendation was not to allow senior housing in an 'RB' zone.

Upon discussion, members of the City Council expressed desire to move forward with the recommendation.

C. COUNCIL UPDATE

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: May 8, 2008: Groundbreaking of Argent Group's 201 Commerce Center, 4400 W. Links Drive (2400 S.), 10:30 A.M. – 11:30 A.M.; May 8, 2008: UDOT's Annual Visit to Cities & Counties, Salt Lake County Government Offices, Room N2003, 9:00 A.M. – 11:00 A.M.; May 9, 2008: Hunter Council PTA Barbeque, West View Park, 4100 South 6000 West, 11:30 A.M.; May 17, 2008: West Valley Walking Tour 2008 at Utah and Salt Lake Canal Trail, 8:00 A.M.; May 17, 2008: West Valley City/SelectHealth co-sponsoring Family Fitness Festival, Fitness Center at

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Centennial Park, 9:00 A.M. – 3:00 P.M.; May 19, 2008: Annual Police Awards Banquet, 12 Noon, UCCC; May 20, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 26, 2008: Memorial Day Holiday – City Hall closed; May 27, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 3, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 6, 2008: ChamberWest Golf Classic, West Ridge Golf Course; June 10, 2008: Council Study Meeting at UCCC, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 17, 2008: Council Study Meeting at UCCC, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 24, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 28, 2008: WestFest 5k Run/Walk; July 1, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 4, 2008: Independence Day Holiday – City Hall closed; July 8, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 15, 2008: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; July 19, 2008: West Valley Walking Tour 2008 at Lake Park Trail System, 8:00 A.M.; July 22, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 24, 2008: Pioneer Day Holiday – City Hall closed; August 4, 2008: Neighborhood Nights Kick Off Event, UCCC, 5:00 P.M. – 7:00 P.M.; August 5, 2008: National Night Out Block Parties, Various Locations, 6:00 P.M. – 10:00 P.M.; August 16, 2008: West Valley Walking Tour 2008 – Night Walk at West Ridge Golf Course, 10:00 P.M.; August 18, 2008: Neighborhood Nights: Family Safety Fair, Family Fitness Center, 5:00 P.M. – 7:00 P.M.; September 1, 2008: Labor Day Holiday – City Hall closed; September 20, 2008: West Valley Walking Tour 2008 at Decker Lake Trail, 8:00 A.M.; October 11, 2008: West Valley Walking Tour 2008 – Hunter Village and Sugar Plum Trails, 8:00 A.M.; November 22, 2008: Turkey Trot 5k Run/Walk at Centennial Park; and December 1, 2008: Walk with Santa at Centennial Park, 6:00 P.M..

10. COUNCIL REPORTS

A. COUNCILMEMBER COREY RUSHTON – ARBOR DAY TREE PLANTING

Councilmember Rushton stated he had attended an Arbor Day tree-planting event recently and it went very well.

B. COUNCILMEMBER CAROLYNN BURT – WESTSHIRE NEIGHBORHOOD EAGLE SCOUT PROJECT AND CEP MEMORANDUM OF UNDERSTANDING

Councilmember Burt stated she had recently met with a graffiti officer who was supervising an Eagle Scout project of painting a fence along 2700 West. She indicated neighbors in the Westshire neighborhood had been pleased with the project. She inquired regarding on a memorandum of understanding for the

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Community Education Partnership (CEP) and expressed hope that it will be brought to the City Council in the near future.

C. COUNCILMEMBER MIKE WINDER – GRANITE SCHOOL DISTRICT EDUCATION FORUM

Councilmember Winder stated he received an invitation to attend a Granite School District Education Forum and inquired if a staff member would attend. City Manager, Wayne Pyle, indicated he was not sure if a staff member would attend that forum.

D. MAYOR DENNIS NORDFELT – JORDAN RIVER CANOE TRIP

Mayor Nordfelt stated that the previous day, the City Manager, CED Director, and himself, had participated in a canoe trip down the Jordan River with other officials from various communities in which the River flowed. He indicated the event had been to bring awareness of the blueprint Jordan River project.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, MAY 6, 2008, WAS ADJOURNED AT 6:13 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, May 6, 2008.

Sheri McKendrick, MMC
City Recorder

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